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In re Application of KOENCK, STEVEN E., et al. :
Appl. No.: 10/787,443 :
Filed: February 26, 2004 :
Attorney Docket No.: 14425US02 :
For: MODULAR, PORTABLE DATA PROCESSING :
TERMINAL FOR USE IN A COMMUNICATION :
NETWORK :

**DECISION ON PETITION
UNDER 37 C.F.R. §1.59**

This is a decision on the request for reconsideration, filed December 10, 2007, of petition under 37 C.F.R. §1.59(b), filed November 7, 2007, to expunge information submitted on June 5, 2006.

The petition is GRANTED.

Petitioner requests that items C27, C28, C29, C119, C120 and C431 listed in the Information Disclosure Statement (IDS), filed on June 5, 2006 be expunged from the record. Petitioner states that the references were inadvertently submitted and states the failure to obtain their returned would cause irreparable harm to Qualcomm (page 2 of the petition filed 11/07/07), and the information has not otherwise been made public. The petition fee set forth in 37 CFR 1.17(h) has been paid in the original petition filed November 7, 2007.

The expunged documents have been closed from public view and will not be returned to applicant.

It is noted that the instant application has been published on August 26, 2004. Thus, the aforementioned documents submitted on June 5, 2006 have already been made available to the public subject to copying by the public. Accordingly, the Office cannot guarantee the information being closed as a result of this decision was not previously accessed by the public.

Applicant is required to retain the expunged material(s) for the life of any patent which issues on the above-identified application.

Valencia Martin-Wallace, Director
Technology Center 2400